

5-27-05

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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

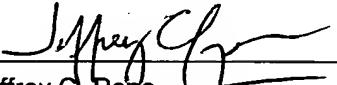
(to be used for all correspondence after initial filing)

		Application Number	10/810,741-Conf. #9685
		Filing Date	March 26, 2004
		First Named Inventor	Donald B. Borders
		Art Unit	1654
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	5 pages + 6 references	Attorney Docket Number	20343/1202370-US2

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	PTO/SB/08 (9 refs cited) 6 references submitted Certificate of Express Mailing Return Receipt Postcard
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	Jeffrey C. Pepe		
Date	May 25, 2005	Reg. No.	46,985



Application No. (if known): 10/810,741

Attorney Docket No.: 20343/1202370-US2  
1425C1

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV544909218US in an envelope addressed to:

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Transmittal (1 page)  
Supplemental Information Disclosure Statement (2 pages)  
PTO/SB/08 (9 References cited) (1 page)  
6 references submitted  
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Docket No.: 20343/1202370-US2  
(425C1)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Donald B. Borders et al.

Application No.: 10/810,741

Confirmation No.: 9685

Filed: March 26, 2004

Art Unit: 1654

For: EXTRACTIVE PURIFICATION OF  
LIPOPEPTIDE ANTIBIOTICS

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Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby make of record the following additional documents.

Applicants have become aware of the following documents, cited in an International Search Report issued March 4, 2005, during the prosecution of international application no. EP 02705750, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of each document required under 37 CFR 1.98(a)(2) cited is enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such

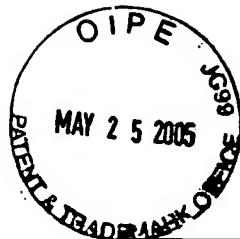
document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 25, 2005

Respectfully submitted,

By   
Jeffrey C. Pepe  
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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO				Complete if Known	
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	10/810,741-Conf. #9685
Sheet	1	of	1	Filing Date	March 26, 2004
				First Named Inventor	Donald B. Borders
				Art Unit	1654
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	20343/1202370-US2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-3,061,516	10-30-1962	Hooper et al.	
	AB	US-3,798,129	03-19-1974	Laszio nee Tomori et al.	
	AC	US-4,533,631	08-06-1985	Kawaguchi et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	GB 736 325-A	09-07-1955	Bristol Lab Inc.	
	BB	GB 897 581-A	05-30-1962	American Cyanamid Co.	
	BC	WO 02/05837-A	01-24-2002	Intrabiotics Pharmaceuticals	
	BD	WO 02/05838-A	01-24-2002	Intrabiotics Pharmaceuticals	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	CA	VERTESY et al, "Friulimicins: Novel lipopeptide antibiotics with peptidoglycan synthesis inhibiting activity from <i>Actinoplanes fiuliensis</i> sp. nov: II. Isolation and structural characterization," <i>Journal of Antibiotics</i> 53(8): 816-827, August 2000.			
	CB	BORDERS et al., "A new chelate purification process for lipopeptide antibiotics from fermentation broths," <i>Abstracts Of The Interscience Conference On Antimicrobial Agents And Chemotherapy</i> 41:231, September 2001.			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Signature	Date Considered
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